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 Page: 1

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THE FOREIGN SERVICE
 OF THE
 UNITED STATES OF AMERICA

American Embassy,
 Moscow, U.S.S.R.,
 October 28, 1959.

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OFFICIAL - INFORMAL

Dear Mr. Boster:

The Webster case (our Despatch No. 224) has pointed up the question here as to how far the Embassy ought to go in "defection" cases in seeking to document the loss of citizenship of persons like Webster in view of the often dubious circumstances surrounding such actions under the conditions prevailing in the Iron Curtain.

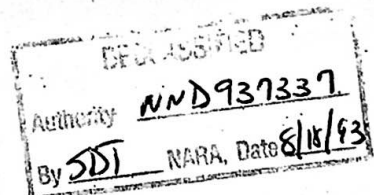
Webster appears to have lost citizenship under Sec. 349 by "obtaining naturalization in (the USSR) upon his own application." The regulations say that it is the Department's "desire" that, if possible, the consular officer document this with an official statement from the appropriate foreign authority confirming the performance of the act. It is the sense of the regulations, I believe, that the documentation of the loss be left with as few legal holes as possible.

The question arises whether in view of the special humanitarian and political considerations the handling of cases of "defection" or voluntary expatriation of Americans to the USSR, we ought to temper the "normal" consular guide lines with a bit of Talleyrand's dictum of "surtout pas de zele" in order to leave such avenues to repatriation as possible open to future contingency. On this basis we are inclined, although under the premises of the Webster case there is no present indication that it would make any material difference, to leave the matter of proof of the acquisition of Soviet citizenship to the future course of events.

Libero Ricciardelli (Department's A-37, August 12, 1959) is another current case in question. The only evidence we have on Ricciardelli is based on statement purportedly by him in the Moscow News of July 22, 1959, in which he renounced his American citizenship and accepted Soviet citizenship. Under ordinary procedure we would

seek

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 Officer in Charge,
 USSR Affairs,
 Department of State,
 Washington, D. C.



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Handwritten notes:
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seek official confirmation that he had assumed Soviet citizenship upon his own application and submit this to support a certificate of loss of nationality. The passive approach which I have so far taken, as much out of the dictates of time as of policy, is to take no action concerning his citizenship unless and until he contacts the Embassy, or the Department specifically directs us to do so.

We would appreciate any thoughts you may have on this subject.

Sincerely yours,



Richard E. Snyder
American Consul

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